

FORM PTO-1390 (REV 10-2000)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER
				020829-000100US
				U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
				09/743690
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				
INTERNATIONAL APPLICATION NO. PCT/NZ99/00110	INTERNATIONAL FILING DATE July 15, 1999		PRIORITY DATE CLAIMED July 15, 1998	
TITLE OF INVENTION CHIMERIC POLYPEPTIDES ALLOWING EXPRESSION OF PLANT-NOXIOUS PROTEINS				
APPLICANT(S) FOR DO/EO/US MARY MARGARET PHUNG (deceased), JOHN T. CHRISTELLER, PAUL W. SUTHERLAND (cont. below)				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).</p> <p>4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>				
Items 11 to 16 below concern document(s) or information included:				
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p><input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input checked="" type="checkbox"/> Other items or information:</p> <p>Inventor names continued: COLLEEN MURRAY, NGAIRE P. MARKWICK, BRUCE A. PHILIP, LOUISE A. MALONE, ELISABETH P. BURGESS</p> <p>Courtesy copy of published application ISR, IPER</p>				

U.S. APPLICATION NO. (If known, see 37 CFR 1.4)

INTERNATIONAL APPLICATION NO.
PCT/NZ99/00110ATTORNEY'S DOCKET NUMBER
020829-000100US

17. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS PTO USE ONLY

Surcharge of **\$130.00** for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 1,000

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	54 - 20 =	+34	X \$18.00 \$ 612
Independent claims	1 - 3 =		X \$80.00 \$

MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$270.00 **\$**

TOTAL OF ABOVE CALCULATIONS = **\$ 1,612**

Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

SUBTOTAL = **\$ 1,612**

Processing fee of **\$130.00** for furnishing the English translation later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

TOTAL NATIONAL FEE = **\$ 1,612**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + **\$**

TOTAL FEES ENCLOSED = **\$ 1,612**

Amount to be refunded: **\$**

charged: **\$**

a. A check in the amount of \$ _____ to cover the above fees is enclosed.

b. Please charge my Deposit Account No. 20-1430 in the amount of \$ 1,612 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-1430. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Kenneth A. Weber
Townsend and Townsend and Crew LLP
Two Embarcadero Center, 8th fl.
San Francisco, CA 94111


SIGNATURE:

Kenneth A. Weber

NAME

31,677

REGISTRATION NUMBER

09/743690

JCG7 Rec'd PCT/PTO 12 JAN 2001

EXPRESS MAIL NO. EL62402246US

DATE OF DEPOSIT: January 12, 2001

Attorney Docket No. 020829-000100US

Enclosures: Form PTO-1390, preliminary amendment, courtesy copy of published PCT application, ISR, IPER

SF 172729 v1